

## District Responsibilities to Address Bullying Behaviors



## State Superintendent's Conference on Special Education and Pupil Services Leadership Issues October 2014

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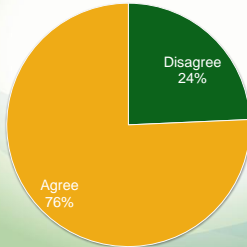
### Daniel Parker

- Special Education



## 2013 Youth Risk Behavior Survey - [p.85](#)

Percent of students that believe that bullying and harassment by other students is a problem in their school



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## Context

### General Bullying laws

- [2009 Wis. Act 309](#)

### OCR Dear Colleague letter

- [October 2010](#)

### OSERS Dear Colleague letter

- [August 2013](#)

## Bullying

All LEAs must adopt a policy prohibiting bullying.  
(DPI Student Services Prevention & Wellness- Wis. Stat. 118.46)

If student has IEP: Possible FAPE issue  
(DPI Special Ed Team- Wis. Stat. 115)

Disability discrimination under Section 504, ADA  
Sex Discrimination under Title IX  
Race Discrimination under Title VI  
(OCR- Chicago)

Pupil nondiscrimination if based on sex, race, religion, creed, age, national origin, ancestry, pregnancy, marital status, parental status, sexual orientation, disability  
(DPI Pupil Nondiscrimination Program -Wis. Stat. 118.13)

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## Bullying Policy

### Beth Herman-Ukasick



## Definition of Bullying

- Bullying is unwanted, aggressive behavior among school aged children that involves a real or perceived power imbalance. The behavior is repeated, or has the potential to be repeated, over time. Bullying includes actions such as making threats, spreading rumors, attacking someone physically or verbally, and excluding someone from a group on purpose.
- Stop Bullying.gov

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## What does the policy require?

- DPI must develop a model school policy on bullying by pupils (by March 2010)
- LEAs must adopt a policy prohibiting bullying by pupils (by August 2010)
  - Must provide a copy to any person requesting it
  - Distribute the policy annually to all pupils enrolled in the school district and their parents/guardians

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## Model Policy

- Must include
  - Definition
  - Prohibition on bullying
  - Procedure for reporting
  - Prohibition against retaliation
  - Procedure for investigating report
  - A requirement that school personnel report incidents of bullying and identification of person receiving reports
  - A list of disciplinary alternative for pupils engaged in bullying
  - Identification of school related events, property and vehicles in which the policy applies
  - A model education and awareness program
  - Post the model policy and program in the Internet site

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## What the policy does not require

- LEAs adopt the model policy
- A standard definition of bullying
- Any of the inclusions required of the model policy
- Schools implement a comprehensive school wide bullying prevention program
- Oversight of policy and implementation by DPI

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## Best Practices in Bullying Prevention

- Assess bullying in your school
- Engage parents and youth
- Create policies/rules/expectations/procedures
- Build a safe environment
- Educate staff, students and parents

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» Adapted from Stopbullying.gov



## Resources

- [http://sspw.dpi.wi.gov/sspw\\_bullyingprevention](http://sspw.dpi.wi.gov/sspw_bullyingprevention)
- [www.stopbullying.gov](http://www.stopbullying.gov)
- <http://www.promoteprevent.org/>

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## Discrimination Under Section 504, Title VI, Title IX, and 118.13, Wis. Stat.

Paul Sherman



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## Bullying May Be Harassment

- Harassment is a type of discrimination under both federal and state law.
- In general harassment is behavior based on a protected class that substantially interferes with a students school performance or creates and intimidating, hostile, or offensive school environment.

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## Protected Classes

- Title VI (race, color, national origin)
- Title IX (sex)
- Section 504 (disability)
- 118.13 Wis. Stat. (sex, race, religion, creed, age, national origin, ancestry, pregnancy, marital status, parental status, sexual orientation, and disability)

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## School District Responsibilities

- Investigate and resolve complaints of harassment
- Take steps reasonably calculated to stop harassment

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## Information and Technical Assistance

- State law: Pupil Nondiscrimination Program, 608-267-9157
- Federal law: U.S. Department of Education, Office for Civil Rights, 312-730-1560

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## Considerations if the student has an Individualized Education Plan (IEP)

Christina Spector



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## OSERS Dear Colleague Letter

- Bullying does not have to be based on disability
- Bully's motivations irrelevant
- Must address bullying if it results in the student not receiving meaningful educational benefit which is a deprivation of FAPE
- Convene IEP team meeting
- Child find
- Reevaluation

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## Change of placement/services

- FAPE in the LRE
- All IEP team members, including parents, must be involved in these decisions.
- Change of placement done at IEP meetings



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## Student with disability is bullying

- Review the IEP, consider additional supports
- Examine environment
  - FBA
  - BIP
- Consider reevaluation
- IDEA disciplinary protections apply

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## Resources

- [Discipline Strategies to Improve Outcomes for Students with Disabilities](#)
- Bulletin 07.02 ([Addressing the Behavioral Needs of Students with Disabilities](#)) \*under revision\*
- Bulletin 06.02 ([Disciplining Students with Disabilities](#))

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## Considerations for Students with Autism

Daniel Parker



## Bullying and Autism



- Studies show Increased Reports of Bullying for Students with Autism
- Neurology and Common Thinking Differences of Students with Autism Leads to Difficulties in Students Identifying Bullying
- Society in General Responds Negatively to People with Differences in Social Behavior
- Different Situations Require Different Interventions



## Bullying and Autism

- Range of Studies have Shown Bullying Occurs more Often in Autism Subgroup Population than for General Population of Students
- Findings are Consistent across Factors such as Household Income, Age, and Gender
- IAN Study Showed 63% (two out of three) of Students with Autism had Been Bullied in Last Year



## Stress, Anxiety, and Autism

- People with Autism Present . . .  
Higher Resting Heart Rates  
Differences in Neuro-Processing
- “The principal emotion experienced by autistic people is fear” Temple Grandin
- “I hide it well, but the fear and anxiety is always with me” John Elder Robison



## Autism and Identifying Bullying



- Difficulties Knowing when Bullying Occurs
- Difficulties with Understanding Hidden Curriculum and Adapting to Different Social Situations
- Differences in Attributions



## Hidden Curriculum and Social Thinking™



## Ideas to Assist with Learning the Hidden Curriculum

Hidden curriculum refers to the set of rules or guidelines that are often not directly taught but are assumed to be known.

(Garnett, 1984; Hemmings, 2000; Jackson, 1968; Kanpol, 1989).



## Ideas to Assist with Learning the Hidden Curriculum

The Hidden Curriculum Addresses . . .

- Social interactions
- Safety
- Social etiquette
- Figurative language (idioms, slang, metaphors)





## Ideas to Assist with Learning the Hidden Curriculum

### The Hidden Curriculum Changes. . .

- Across ages
- Across gender
- In different settings
- With different people / roles



## What is Social Thinking™?

“... the ability to know our own plan, reading someone else's plan, and adapt as needed so that both parties remain engaged and feeling good about the experience.”

The Incredible Flexible You: A Social Thinking® Curriculum for Preschool and Early Elementary Years, Hendrix, R., Zweber Palmer, K., Tarshis, N., and Garcia Winner, M. (2013)



## Wisconsin Family and Educator Support Organizations

- Autism Society of Southeast Wisconsin
- Autism Society of Wisconsin
- Disability Rights Wisconsin (DRW)
- Family Voices of Wisconsin
- Parent to Parent
- Regional Centers (Children and Youth with Special Health Care Needs)
- WI FACETS
- Wisconsin Community of Practice on Autism and Other Developmental Disabilities
- Wisconsin Department of Health Services
- Wisconsin Department of Public Instruction
- Wisconsin Family Ties
- Wisconsin First Step
- WSPEI (Wisconsin Statewide Parent Educator Initiative)



## DPI Resources

- **WDPI Student Services Web Page**  
Includes links to Several Resources on Bullying and School Safety  
[http://sspw.dpi.wi.gov/sspw\\_safeschool](http://sspw.dpi.wi.gov/sspw_safeschool)
- **WDPI Bullying Prevention Policy Guidelines**  
<http://sspw.dpi.wi.gov/files/sspw/pdf/bullyingguide.pdf>
- **Bullying Prevention Curriculum: Rethink**  
Classroom Instructional units for Grades 9-12  
<http://sspw.dpi.wi.gov/files/sspw/pdf/bullyingrethink.pdf>
- **Bullying Prevention Curriculum: It's Time to Act**  
Classroom Instructional units for Grades 3-5 and 6-8  
<http://sspw.dpi.wi.gov/files/sspw/pdf/bullyingprogram.pdf>
- **My Child had been Bullied, What do I do? (Brochure)**  
<http://sspw.dpi.wi.gov/files/sspw/pdf/bullyingbrochure.pdf>
- **DPI's Model Bullying Prevention Program**  
<http://sspw.dpi.wi.gov/files/sspw/pdf/bullyingprogram.pdf>
- **Cyber Bullying online Module**  
<http://dpiimedia.wi.gov/main/Play/c8bc6424be68466f90583d26133f63bf>
- **WDPI Bullying Online Webinar: Policy on bullying**  
<http://dpiimedia.wi.gov/main/Play/34e815f0a8a24b0b9468831dfda4400a>

## Autism and Bullying Resources

**Combating Bullying (Autism Speaks)**  
Includes tool kits and information on bullying  
<http://www.autismspeaks.org/family-services/bullying>

**Bullying and Autism: Helping Kids Cope with Getting Excluded**  
<http://www.education.com/reference/article/bullying-autism/?clickid=Wn9wwCUblVcSRm2-oW3k1%3ADUkTWni2%3AtDxx40>

**Bullying and Students on the Autism Spectrum**  
Article from Autism Society  
<http://www.autism-society.org/news/bullying-and-students-on-the.html>

**Why Autistic Kids make Easy Targets for School Bullies**  
Pop culture article from TIME magazine on autism and bullying  
<http://www.cnn.com/2012/09/07/health/autistic-kids-bullied-time/>

• **National Autism Association**  
Bullying and Autism  
<http://www.autismsafety.org/bullying.php>



## Autism and Bullying Resources

• **IAN Research Report: Bullying and Children with Autism**  
Interactive Autism Network (IAN)  
[http://www.iancommunity.org/cs/ian\\_research\\_reports/ian\\_research\\_report\\_bullying](http://www.iancommunity.org/cs/ian_research_reports/ian_research_report_bullying)

**Bullying and Students with ASD**  
Article by IAN discussing the research above  
<http://www.iancommunity.org/cs/articles/bullying>

**Special Needs Anti-Bullying Toolkit**  
<http://specialneeds.thebullyproject.com/toolkit>



## Community Building Resources

- **Good Friend Inc.** This Wisconsin based non-profit organization provides workshops for schools on how to develop positive peer relationships between students with autism and neurotypicals peers. Good Friend Inc. created two short videos created by students with autism and peers titled "How Can I Be a Good Friend to Someone with Autism?" and "Choosing To Be a GFF" (Good Friend Forever). Check out Good Friend Inc web site at <http://www.goodfriendinc.com/>
- **We All Fit (music video):** Created by Good Friend Inc. and The Figureheads. Magical things happen when you encourage friendships between students of different abilities! <http://www.youtube.com/watch?v=YQYiSMcVnc>
- **Circle of Friends Web Sites**  
A variety of web sites which develop frameworks to allow for friendships  
<http://www.circleoffriends.org/about.html>  
<http://www.autism.org.uk/16877>  
<http://www.autismspeaks.org/family-services/grants/circle-friends-path-inclusion>  
<http://www.friendshipcircle.org/blog/2012/01/11/circle-of-friends-a-type-of-person-centered-planning/>



## Bullying Resources

- **Parents Act Now! (Children's Hospital of Wisconsin)**  
What Parents Need to Know about Bullying  
<http://www.healthykidslearnmore.com/parentsactnow/index.asp>

- **Bullying and Suicide Prevention**  
Suicide Prevention Resource Center  
<http://sspw.dpi.wi.gov/files/sspw/pdf/ssbullyingsuicideprev.pdf>

- **Bullying in Schools (Rana Sampson – Community Oriented Policing Services, Department of Justice)**  
<http://www.cops.usdoj.gov/files/RIC/Publications/e07063414-guide.pdf>

- **Stop Bullying.Gov**  
<http://www.cops.usdoj.gov/files/RIC/Publications/e07063414-guide.pdf>

- **Stop Bullying Now**  
<http://stopbullyingnow.com/>



## Bullying Books/Video Resources

- **Bully (2012)**  
This is a documentary on bullying – here is a site with trailer for the movie  
<http://www.healthykidslearnmore.com/parentsactnow/index.asp>
- **NPR Radio Segment on children with Autism are Often Targeted by Bullies**  
<http://www.npr.org/blogs/health/2012/04/23/151037898/children-with-autism-are-often-targeted-by-bullies>
- **Perfect Targets: Asperger Syndrome and Bullying – Practical Solutions for Surviving the Social World**, Rebekah Heinrichs
- **Asperger Syndrome and Bullying: Strategies and Solutions**, Nick Dubin
- **Peer Support Strategies for Improving All Students Social Lives and Learning**, Carter, E.W., Cushing, L.S., and Keenedy, C.H.
- **Walk Awhile in My Autism**, Kate McGinnity and Nan Negri
- **Joyful Learning: Active and Collaborative Learning in the Inclusive Classrooms**, Paula Kluth



## Questions?



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